

# **EXHIBIT 18**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

PACIFIC ALLIANCE ASIA OPPORTUNITY  
FUND L.P.,

Plaintiff,

v.

KWOK HO WAN, a/k/a KWOK HO, a/k/a GWO  
WEN GUI, a/k/a GUO WENGUI, a/k/a GUO WEN  
GUI, a/k/a WAN GUE HAOYUN, a/k/a MILES  
KWOK, a/k/a HAOYUN GUO, GENEVER  
HOLDINGS CORPORATION, and GENEVER  
HOLDINGS LLC,

Defendants.

Index No: 652077/2017

Hon. Barry R. Ostrager

~~[PROPOSED]~~ FINAL ORDER  
OF CIVIL CONTEMPT

Motion Sequence No. 19

WHEREAS this Court's conditional order of civil contempt, dated March 16, 2021, directed that if Defendant Kwok Ho Wan ("Kwok") failed to return the Lady May yacht (the "Lady May") to the jurisdiction of this Court by May 15, 2021, he would be subject to a \$500,000 fine for each day that the Lady May remained outside the jurisdiction;

WHEREAS the Lady May was not returned to the jurisdiction by May 15, 2021;

WHEREAS on November 4, 2021, the Appellate Division's First Department affirmed this Court's order holding Kwok in conditional civil contempt, finding that "the daily fine of \$500,000 was intended to strongly encourage defendant to purge himself of the contempt, which, despite being permitted two months to accomplish, he has shown no interest in doing," and instructing this Court to proceed with an evidentiary hearing to resolve a dispute as to ownership and control of the yacht, and to assess appropriate penalties;

WHEREAS Kwok to date has failed to return the Lady May to the jurisdiction;

WHEREAS the evidentiary hearing specified by the First Department's November 4, 2021 Order was held on February 2, 2022;

WHEREAS both Kwok and the registered title holder of the Lady May, HK International Funds Investments (USA) Limited, LLC, ~~were present~~ <sup>appeared by counsel</sup> at the hearing, proffered evidence and were represented by counsel; and

WHEREAS, based on the evidence adduced at the hearing, the Court determines that PAX has clearly and convincingly established that Kwok has a beneficial interest in and control over the Lady May, *as set forth in the Court's February 9, 2022 Decision and Order*;

Accordingly, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. Kwok has violated New York Judiciary Law § 753 and is civil contempt of this Court's orders.
2. Kwok is directed to tender immediate payment to PAX in the amount of \$134,000,000, representing \$500,000 for each day between May 15, 2021 and February 7, 2022.
3. The amount due to PAX shall continue to accrue at the rate of \$500,000 per day until Kwok returns the Lady May to the jurisdiction, which additional accrual shall begin ten business days from ~~the date~~ <sup>service</sup> of this Order, *with Notice of Entry*.
4. Payment of the amount set forth in paragraph 2 above shall be made to PAX within five business days of the ~~date~~ <sup>service</sup> of this Order, *with Notice of Entry*.
5. The Court shall exercise its full authority under New York Judiciary Law § 753 in the event the fine is not timely paid to PAX.

It is SO ORDERED this 9<sup>th</sup> day of February, 2022.

  
BARRY R. OSTRAGER, J.S.C.  
BARRY R. OSTRAGER  
JSC